

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77017 of 2025

Arising Out of PS. Case No.-412 Year-2016 Thana- GAYA MUFASIL District- Gaya

Sanjay Tiwari S/o Shri Dev Binod Tiwari R/o Village- Badka Gau, Pundi P.O-
Pondih, P.S- Kurtha, Dist- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The State Of Bihar The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 412 of 2016 dated 05.09.2016 registered for the offences punishable u/ss 147, 148, 149, 323, 341, 386, 435 and 379 of the Indian Penal Code and Sections 14, 16, 17, 18, 20, 38 and 40 U.A.P. Act and Section 17 of the C.L.A. Act.

3. As per the prosecution case, 20 miscreants attacked the construction site of the company of the informant which was engaged in construction of a rail bridge and set on fire a number of equipments including the truck tippers, Excavator, Hydra,



Sumo vehicle, a motorcycle and Tata P & H Crane. The miscreants also threatened the employees present there at the gunpoint and assaulted them and took away their mobile phones and cash amounting to Rs. 50,000/- from individual workers. The name of the petitioner has transpired as one of the miscreants during investigation.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused person. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. No T.I.P. has been conducted by the prosecution. The co-accused person has already been granted regular bail by this court vide order dated 06.08.2025 passed in Cr. Misc. No. 44976/2025. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Muffasil P.S. Case No. 412 of 2016 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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